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In re Application of	:	JAN 5 1999
Michel Armand, et al	:	
Application No. 08/998,264	:	SPECIAL PROGRAMS OFFICE
Filed: December 24, 1997	:	DAC FOR PATENTS
Attorney Docket No. UTSP:646	:	

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. No. 97-1128, - 1280, -1453, 1998 U.S. App LEXIS 21409, at *30 (Fed. Cir. Sept. 1, 1998). Therefore, your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center 1700,
Art Unit 1741.



Keith E. Peterson

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